

CLASSIFICATION OFFICE DECISION

Title of publication: GymayB.jpg

Other known title(s): Not stated

OFLC ref: 1900418.020

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification: Objectionable.

Descriptive note: None

Display conditions: None

Date of entry in Register: 30 August 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 30 August 2019

Summary of reasons for decision:

The image file is deemed to be objectionable because it promotes and supports the exploitation of children for sexual purposes. It is an image that depicts a child who is exposing her genitalia in a highly sexualised manner. The image is clearly intended to arouse those with a sexual interest in children. The availability of such material encourages the creation or reinforcement of this sexual interest by presenting children as sexually available. The classification of the publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 be banned. It also reflects the concern of a free and democratic society to protect its young and vulnerable members from exploitation.